

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Scott F. Sneddon, John L. Kane, Bradford H. Hirth, Fred Vinick, Shuang Qiao, Sharon R. Nahill, John M. Williams and Hans-Peter Biemann

Divisional Application of

Application No.: 09/852,965

Filed: May 10, 2001

For: MODULATORS OF TNF- $\alpha$  SIGNALING

Date: 3.10.04

EXPRESS MAIL LABEL NO. EV 214 956255 US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

[ ] under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)

[X] under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

[ ] under 37 CFR 1.97(c) together with either:

[ ] a Statement under 37 CFR 1.97(e), as checked below, or

[ ] a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

[ ] under 37 CFR 1.97(d) together with:

[ ] a Statement under 37 CFR 1.97(e), as checked below, and

[ ] a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

[ ] under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- [ ] Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [ ] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- [ ] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

[X] Enclosed herewith is form PTO-1449:

- [ ] Copies of the cited references are enclosed.
  - [ ] Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- [X] Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. 09/852,965], to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited references.
- [ ] The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- [X] The "concise explanation" requirement (non-English references) for references AM, AN, AP and AN2 under 37 CFR 1.98(a)(3) is satisfied by:
  - [ ] the explanation provided on the attached sheet.
  - [ ] the explanation provided in the Specification.
  - [X] submission of the enclosed International Search Report for AN2 in prior application 09/852,965.
  - [ ] submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
  - [X] the enclosed English language abstracts for AM, AN and AP submitted in prior application 09/852,965.

[X] Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. 09/852,965, by Scott F. Sneddon, John L. Kane, Bradford H. Hirth, Fred Vinick, Shuang Qiao, Sharon R. Nahill, John M. Williams and Hans-Peter Biemann, filed May 10, 2001, Docket No.: 2478.1002-002.

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ Examiner

\_\_\_\_ Date

[X] A copy of each above-cited application, including the current claims, is enclosed.

[ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

[ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
Steven G. Davis, Esq.  
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Telephone: (978) 341-0036  
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Concord, MA 01742-9133

March 10 2004

PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>March 2, 2004</b>  (Use several sheets if necessary)		ATTORNEY DOCKET NO. <b>2478.1002-016</b>	DIVISIONAL OF APPLICATION NO. <b>09/852,965</b>	
		FIRST NAMED INVENTOR <b>Scott F. Sneddon, et al.</b>	FILING DATE <b>3/10/04</b>	
		EXAMINER	CONFIRMATION NO.	GROUP

U.S. PATENT DOCUMENTS				
EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	4,997,950	03-05-1991	Murphy <i>et al.</i>
	AB	5,932,737	08-03-1999	Itoh <i>et al.</i>
	AC	6,048,841	04-11-2000	Baxter <i>et al.</i>
	AD	6,306,840 B1	10-23-2001	Adams <i>et al.</i>
	AE	6,359,061	03-19-2002	Swayze <i>et al.</i>
	AF	6,376,538	04-23-2002	Adams <i>et al.</i>
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EXAMINER	DATE CONSIDERED
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2478.1002-016DIVISIONAL OF APPLICATION NO.  
09/852,965INFORMATION DISCLOSURE CITATION  
IN AN APPLICATIONFIRST NAMED INVENTOR  
Scott F. Sneddon, *et al.*FILING DATE  
3/10/04

March 2, 2004

(Use several sheets if necessary)

EXAMINER

CONFIRMATION NO.

GROUP

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES      NO
AL		0 246 749 A2	04-21-1987	Schering Agrochemicals Limited	X
AM		0 330 959 A2	02-20-1989	Bayer AG	X
AP		C 07 D 487/04	11-02-1989	Schering AG	X
AO		0 372 326 A2	11-24-1989	Bayer AG	X
AP		DE 3928605 A1	03-07-1991	Bayer AG	X
AQ		WO 93/17009	09-02-1993	Zenyaku Kogyo Kabushiki Kaisha	X
AL2		WO 99/28301	06-10-1999	E.I. Du Pont De Nemours and Company	
AM2		WO 95/12610	05-1999	Institut für Diagnostikforschung GmbH an der Freien Universität Berlin	
AN2		DE 2937698 A1	04-02-1981	A. Nattermann & Cie GmbH	X
AO2		WO 00/26209	05-11-2000	Novartis AG and Novartis- Erfindungen Verwaltungsgesellschaft M.B.H.	
AP2		WO 99/00363	01-07-1999	Pharmacia & Upjohn S.P.A.	
AQ2		WO 01/00576 A1	01-04-2001	Eli Lilly and Company	
AL3		WO 01/42192 A2	06-14-2001	Novartis AG	
AM3		WO 01/81298 A2	11-01-2001	Bayer Aktiengesellschaft	
AN3					
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AM4					
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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR	Waki, <i>et al.</i> "Peptide Synthesis Using the Four-Component Condensation (Ugi Reaction)," <i>J Am Chem Soc.</i> , 99(18)6075-6082 (1977).
AS	Tanaka, <i>et al.</i> "Analytical Studies on Mepirizole and its Metabolites. II. Identification of the Human Urinary Metabolites or Mepirizole with Stable Isotope Labeling," <i>Chem and Pharm Bul.</i> , 24(4) 804-807 (1976).
AT	Milata, <i>et al.</i> "2,4,6-Tris(Azol-1-YL)-1,3,5-Triazines: A New Class of Multidentate Ligands," <i>Heterocycles</i> , 55(5) 905-924 (2001).
AU	Tanaka, <i>et al.</i> "Analytical Studies on Mepirizole and Its Metabolites. III. Gas Chromatographic Determination of Mepirizole and Its Metabolites in Biological Fluids," <i>Chem and Pharm Bul.</i> , 24(4) 808-812 (1976).
AV	Bayer, <i>et al.</i> , "Preparation and Properties of Mesoionic Oxazolones," <i>Chem. Ber.</i> , 103(8):2581-2597 (1970). CA 73:77105, 1970. Article and Abstract
AW	Hazebroucq, G., "2, 3, 4, 5 - Tetrahydro-1H-3-benzazepin-1-ones and hexahydroimidazoisoquinolines," <i>Ann. Chim (Paris)</i> 1(5/6):221-254 (1966) CA 66:2461, 1966. Article and Abstract
AX	Graninger, <i>et al.</i> , "One-year inhibition of tumor necrosis factor- $\alpha$ : a major success or a larger puzzle?," <i>Curr. Opin. Rheumatol.</i> 13(3):209-213 (2001).
AY	Shaw, <i>et al.</i> , "Metalloproteinase inhibitors: new opportunities for the treatment of rheumatoid arthritis and osteoarthritis," <i>Expert Opin. Investig. Drugs</i> 9(7):1469-1478 (2000).
AZ	Wrobel, Jay <i>et al.</i> , "Syntheses of Tolrestat Analogues containing Additional Substituents in the Ring and Their Evaluation as Aldose Reductase Inhibitors. Identification of Potent, Orally Active 2-Fluoro Derivatives," <i>J. Med. Chem.</i> 34:2504-2520 (1991).
AR2	Garcia, Jordi <i>et al.</i> , "NEW SYNTHETIC "TRICKS". TRIPHENYLPHOSPHINE-MEDIATED AMIDE FORMATION FROM CARBOXYLIC ACIDS AND AZIDES," <i>Tetrahedron Letters</i> , 25(4):4841-4844 (1984).
AS2	Coutts, R.T. <i>et al.</i> , "Acetylation and pentafluorobenzoylation of lidocaine metabolites in aqueous solution and identification of derivatives by combined gas chromatography/mass spectrometry," <i>Biomed. Environ. Mass Specrom.</i> 14(4):173-82 (1987). (From <i>Chem. Abstracts</i> , (1987) 107(5), Abstract No. 32462W).

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	EXAMINER	CONFIRMATION NO.
		GROUP

OTHER DOCUMENTS ( <i>Including Author, Title, Date, Pertinent Pages, Etc.</i> )		
AT2	Kondo, Kazumi <i>et al.</i> , "Preparation of amides as vasopressin antagonists, oxytocin antagonists, and vasopressin agonists," Otsuka Pharmaceutical Co., Ltd.) 19 April 1989. (From <i>Chem. Abstracts</i> , (1999) 130(11), Abstract No. 139333g).	
AU2	Davis, Peter W. et al., "Automated Solid-Phase Synthesis of Linear Nitrogen-Linked Compounds," Biotechnology and Bioengineering (Combinatorial Chemistry), 19-28 , Winter 2000.	
AV2		
AW2		

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